IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA HUNTINGTON DIVISION

Civil Action No. 3:22-cv-00014

MATTHEW PARTON, on behalf of himself and others similarly situated,

Plaintiff,

v.

BIMBO BAKERIES USA, INC., a Delaware Corporation; JOHN DOE and JANE DOE, unknown employees or officers of Bimbo Bakeries USA, Inc.; and DOE CORPORATION, an unknown private business organization,

Defendants.

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, Plaintiff Matthew Parton, on behalf of himself and others similarly situated, and Defendant Bimbo Bakeries USA, Inc., by their undersigned counsel, hereby STIPULATE and AGREE to the dismissal of this action with prejudice. The parties further stipulate that each side shall bear its own costs of litigation and attorneys' fees.

Respectfully submitted this 18th day of April, 2022.

AGREED TO BY:

<u>/s/ Larry J. Rector</u>

Larry J. Rector (WVSB # 6418)

STEPTOE & JOHNSON PLLC 400 White Oaks Boulevard Bridgeport, WV 26330 Telephone: (304) 933-8000

Facsimile: (304) 933-8183

Michael J. Puma (*Pro Hac Vice forthcoming*) MORGAN, LEWIS & BOCKIUS LLP 1701 Market Street Philadelphia, PA 19103 Telephone: (215) 963-5305 Facsimile: (215) 963-5001

Counsel for Defendant Bimbo Bakeries, USA, Inc.

/s/ Stephen P. New

Stephen P. New (WVSB # 7756)
Amanda J. Taylor (WVSB # 11635)
NEW, TAYLOR & ASSOCIATES
430 Harper Park Drive
Beckley, WV 25801
Telephone: (304) 250-6017
Facsimile: (304) 250-6012

Counsel for Plaintiffs

/s/ Anthony J. Majestro

Anthony J. Majestro (WVSB # 5165)
POWELL & MAJESTRO
405 Capitol Street
Suite P-1200
Charleston, WV 25301
Telephone: (304) 346-2889

Telephone: (304) 346-2889 Facsimile: (304) 346-2895

Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on the 18th day of April, 2022, I served the foregoing "Stipulation of Dismissal" with the Clerk of Court using the CM/ECF system, which will send notice of the same to the following counsel:

Stephen P. New Amanda J. Taylor NEW, TAYLOR & ASSOCIATES 430 Harper Park Drive Beckley, WV 25801 Anthony J. Majestro POWELL & MAJESTRO 405 Capitol Street Suite P-1200 Charleston, WV 25301

/s/ Larry J. Rector

Larry J. Rector (WVSB # 6418) STEPTOE & JOHNSON PLLC 400 White Oaks Boulevard Bridgeport, WV 26330 Telephone: (304) 933-8000

Facsimile: (304) 933-8183

Counsel for Defendant